

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ESLAM HASSAN,

Plaintiff,

-against-

CAPTAIN AGARD et al.,

Defendants.

19cv05764 (DF)

ORDER

DEBRA FREEMAN, United States Magistrate Judge:

Although this Court had scheduled a telephonic case management conference in this case for April 7, 2020, *pro se* plaintiff Eslam Hassan (“Plaintiff”) failed to appear for that conference. In addition, the Court notes that certain mail that it had attempted to send to Plaintiff, at the address he provided to the Court at a February 20, 2020 conference, has been returned to the Court as undeliverable. Further, counsel for Defendants has informed the Court that, although counsel had previously been able to reach Plaintiff at a telephone number that Plaintiff had provided to him, counsel has not been able to reach Plaintiff at that number since March 13, 2020. (*See* Letter to the Court from Stefano Perez, Esq., dated Apr. 9, 2020 (“4/9/20 Def. Ltr.”) (Dkt. 55), at 2.) Rather, counsel reports that he has left voicemail messages for Plaintiff repeatedly since the end of March (including messages informing Plaintiff as to how to call in for April 7 telephone conference), and that, as of April 7, Plaintiff’s voicemail was no longer accepting voice messages. (*See id.*) Counsel has also informed the Court that, in his conversation with Plaintiff on March 13, Plaintiff told him that Plaintiff’s then-current address was: 1000 Blake Avenue, Brooklyn, NY 11208 – an address that Plaintiff had provided to the Court on February 14, 2020 (prior to providing a different address on the record of the February 20 conference), and which, according to counsel, appears to be the address for a

homeless shelter. (*See id.*) At the April 7 conference, for which Defendants' counsel appeared, the Court asked counsel to try to reach Plaintiff at any publicly available number for the shelter, but counsel has now reported that he has been unsuccessful at his efforts to do so. (*See id.*, at 3.)

Under these circumstances, it is hereby ORDERED that:

1. All existing deadlines in this case are extended by 30 days.
2. No later than April 30, 2020, Plaintiff is directed to notify the Court's *Pro Se* Office of his current address and, if possible, a telephone number where he may be reached. This information should be mailed by Plaintiff to the Court's *Pro Se* Office, at the following address:

United States District Court, S.D.N.Y.
Pro Se Intake Unit
U.S. Courthouse
40 Centre Street, Room 105
New York, New York 10007

3. Plaintiff is reminded that he has an obligation to keep the Court apprised of any changes to his contact information, and that, if he fails to do so, his case may be dismissed for failure to prosecute.

4. Within three business days of the date of this Order, Defendants' counsel shall mail a copy of this Order to Plaintiff at both of the following two addresses, and file proof of such service on the Docket.

Mr. Eslam Hassan
712 Crown Street, Apt. F19
Brooklyn, NY 11213

Mr. Eslam Hassan
1000 Blake Avenue
Brooklyn, NY 11208

If Defendants' counsel is unable to complete these mailings as a result of disruptions related to the COVID-19 outbreak, then counsel shall promptly notify the Court of this, by letter filed on ECF.

5. Defendants' counsel is directed to inform the Court promptly if he is contacted by Plaintiff.

6. The Court will not schedule another conference in this matter until it has a way to contact Plaintiff.

Dated: New York, New York
April 17, 2020

SO ORDERED

A handwritten signature in blue ink, appearing to read "Debra Freeman", is written over a horizontal line.

DEBRA FREEMAN
United States Magistrate Judge